

The court being set & Regularly sworn. Captain John Deaver appeared charged first for not repairing to the Alarm Post with his Company on the 22<sup>d</sup> Instant when not only the Alarm was given but when he was Ordered thereto by M<sup>r</sup> Hamilton. Second for being drunk when on duty—to which charges Captain Deaver pleads not Guilty. Whereupon John Garner Hambleton being present is now here sworn—And thereupon deposes and says—that on Sunday the 22<sup>d</sup> Instant he repaired to the place of Alarm and discovered the officers of the different companies of the Baltimore Town Battalion there Except Captain Deaver upon which he went to Captain Deaver and askt him why he did not Attend with his Company at the Alarm post Captain Deaver replied he did not know where the Alarm post was upon which this deponant told him it was at the Grand or Usual place of Prerade—he again replied he did not know it upon which M<sup>r</sup> Hamilton told him there was an Order for it—when Captain Deaver said he had seen none. Upon which this deponent told him he knew there was one and thought it was in the Orderlly Book—where he might see it if he woud look. Captain Deaver then said he had the Order there was no such instructions. Upon which this deponant told Captain Deaver if he had not known it before he knew it then. Captain Deaver then said he had drawn his men up at the Guard House thinking it the most proper place. Captain Deaver then askt this deponant what was to be done on the Grand prerade and was told to draw Arms & Amunition for his men—this deponent being Askd if he heard Colonel Smith Give Orders that in case of Alarm that the place of prerade above mentioned shoud be the place for the Officers and men of the Baltimore Town Battalion to Assemble upon which this deponant says he did hear Colonel Smith give such Orders—the deponent being Askd by Captain Deaver at what time the Orders was given by Colonel Smith this deponant saith that it was on the ninth day of this Instant on prerade Captain Deaver was present on the prerade that Day but does not recollect or know whether Captain Deaver was present at the time of the Order. Was Captain Deaver discharged on that day by Colonel Smiths Order—this deponent on the above Question says that when the line was discharged by Colonel Smith on the 9<sup>th</sup> Instant Captain Deaver was not there nor did not Join it that day to his knowledge—this deponant being askt if Captain Deaver was the Officer of the Guard on the 22<sup>d</sup> instant—says that Captain Deaver was Ordered on the 20<sup>th</sup> Instant to relieve Guard and that his Company furnisht the Guard until the 22<sup>d</sup> Instant this deponant being Askd if Captain Deaver was on the Grand Prerade on the 22<sup>d</sup> Instant with his Company—says not Captain Deaver Confesses that he knew any Orders Given by M<sup>r</sup> Hamilton was regular—this deponant being Askd if Captain Deaver was drunk on the 22<sup>d</sup> when he gave him orders so as to render him incapable of doing his duty as an Officer—says he thinks he might be something intoxi-

April 24  
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